

March 18, 2004

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

RE: Docket 02-55

Dear Ms. Dortch:

The “interleaving” of Public Safety and Nextel Systems in the 800 MHz band has been the cornerstone of most arguments for support of “re-banding” through implementation of the “Consensus Plan.”

This “interleaving” of frequencies, although responsible for a fair amount of interference to certain Public Safety Radio Systems, has been misrepresented and exploited to its maximum potential.

I am sure you are aware that there are really two operating ranges used by Public Safety Systems in the 800 MHz band. One known as the 806 band and the other known as NPSPAC. To cut to the chase, it's the 806 band that has been adversely affected by Nextel operations, and mainly in fringe or poor coverage zones already known to most Public Safety Systems.

I currently maintain a 14 site, 800 MHz Motorola SmartZone 3.0 Analog and Digital Public Safety Radio System, covering 9600 square miles. Of those 14 sites, only one is 806 band operation. The remaining 13 sites are NPSPAC. To date, we have had 2 instances of interference in regions serviced by the 806 site. Both regions were in excess of 12 miles from our site and within 300 yards of a Nextel site. To their credit, Nextel worked closely with us and resolved both instances of interference through technical measures.

The point being, why should I, and all other NPSPAC systems, be forced to execute a complex, disruptive and potentially expensive maneuver, when in fact we do not experience a widespread interference problem? Adding to the scenario above, had we the necessary additional frequencies and additional expensive base station equipment, we could have added an additional SmartZone site in the “interference” area, and overcame the problem as well. So, I strongly caution against embracing interference paranoia when poor coverage and system design are probably the more likely culprits.

All that said, why do we have to choose the Consensus Plan or the Balanced Approach? Last time I checked, the interfering party (that would be Nextel) is responsible for eliminating any interference they cause, or just shutting down if they can't. Why is Public Safety trying to find a new home for Nextel? Instead of choosing one plan over the other and potentially causing a lot of disruption to Public Safety Systems, why doesn't the FCC just enforce current regulations and advise Nextel (and whoever else) to stop causing interference or to simply power-off their sites until they do?

Maybe this solution is so simple and “grass-roots,” that it's been overlooked?

Finally, in my opinion, let's stay where we are and move the interfering party out. Worst case, I'll support the Balanced Approach if I have to, knowing full well that, no matter what we do, interference will always be with us and we will still have to handle it on a case by case basis, using “Best Practices” as a guideline.

Respectfully,

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